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PTO/SB/17 (05-03) OMB 0651-0032

FEE TRANSMITTAL for FY 2003

Effective 01/01/2003, Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27
TOTAL AMOUNT OF PAYMENT (\$) 0.00

Complete if Known

Application Number 08/917,710
Filing Date August 26, 1997
First Named Inventor Daniel P. Bednarek
Examiner Name S. Wegert
Art Unit 1647
Attorney Docket No. PF307

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account

Deposit Account Number 08-3425

Deposit Account Name Human Genome Sciences, Inc.

The Director is hereby authorized to: (check all that apply)

- ☐ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

| 1. BASIC FILING FEE | | Large Entity | | Small Entity | Fee Description | Fee Paid |
|---------------------|----------|--------------|----------|--------------|------------------------|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee (\$) | | |
| 1001 | 750 | 2001 | 375 | | Utility filing fee | |
| 1002 | 330 | 2002 | 165 | | Design filing fee | |
| 1003 | 520 | 2003 | 260 | | Plant filing fee | |
| 1004 | 750 | 2004 | 375 | | Reissue filing fee | |
| 1005 | 160 | 2005 | 80 | | Provisional filing fee | |
| SUBTOTAL (1) | | (\$) | | 0.00 | | |

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims | -20** = | Extra Claims | Fee from below | Fee Paid |
|--------------------|---------|--------------|----------------|----------|
| Independent Claims | -3** = | | | |
| Multiple Dependent | | | | |

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1201 | 84 | 2201 | 42 | Claims in excess of 20 | |
| 1202 | 18 | 2202 | 9 | Independent claims in excess of 3 | |
| 1203 | 280 | 2203 | 140 | Multiple dependent claim, if not paid | |
| 1204 | 84 | 2204 | 42 | ** Reissue independent claims over original patent | |
| 1205 | 18 | 2205 | 9 | ** Reissue claims in excess of 20 and over original patent | |
| SUBTOTAL (2) | | (\$) | | 0.00 | |

**or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | |
| 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 | 130 | 1053 | 130 | Non-English specification | |
| 1812 | 2,520 | 1812 | 2,520 | For filing a request for <i>ex parte</i> reexamination | |
| 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 | 110 | 2251 | 55 | Extension for reply within first month | |
| 1252 | 410 | 2252 | 205 | Extension for reply within second month | |
| 1253 | 930 | 2253 | 465 | Extension for reply within third month | |
| 1254 | 1,450 | 2254 | 725 | Extension for reply within fourth month | |
| 1255 | 1,970 | 2255 | 985 | Extension for reply within fifth month | |
| 1401 | 320 | 2401 | 160 | Notice of Appeal | |
| 1402 | 320 | 2402 | 160 | Filing a brief in support of an appeal | |
| 1403 | 280 | 2403 | 140 | Request for oral hearing | |
| 1451 | 1,510 | 1451 | 1,510 | Petition to institute a public use proceeding | |
| 1452 | 110 | 2452 | 55 | Petition to revive - unavoidable | |
| 1453 | 1,300 | 2453 | 650 | Petition to revive - unintentional | |
| 1501 | 1,300 | 2501 | 650 | Utility issue fee (or reissue) | |
| 1502 | 470 | 2502 | 235 | Design issue fee | |
| 1503 | 630 | 2503 | 315 | Plant issue fee | |
| 1460 | 130 | 1460 | 130 | Petitions to the Commissioner | |
| 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17(a) | |
| 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt | |
| 8021 | 40 | 8021 | 40 | Recording each patent assignment per priority (times number of priorities) | |
| 1809 | 750 | 2809 | 375 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 | 750 | 2810 | 375 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 | 750 | 2801 | 375 | Request for Continued Examination (RCE) | |
| 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application | |

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 0.00

SUBMITTED BY

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45,414

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Signature

Date June 23, 2003



AF

Docket No.: PF307

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Bednarik, Daniel P.

Application No.: 08/917,710

Group Art Unit: 1647

Filed: August 26, 1997

Examiner: Wegert, Sandra L.

For: Soluble Interleukin-1 Receptor Accessory
Molecule

#23
593
7/1/03
(NE)REPLY UNDER 37 C.F.R. § 1.116

RECEIVED

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

JUN 26 2003

TECH CENTER 1600/2900

Sir:

In response to the Final Office Action dated April 22, 2003 (Paper No. 22), and in accordance with 37 C.F.R. § 1.116, Applicants hereby request consideration of the following remarks. Applicants submit herewith (a) a Return Receipt Postcard, (b) a Fee Transmittal Sheet, and (c) Exhibits A and B.

REMARKS

Rejection of Claims 20-29, 38, 39, 49-58, and 60-73 Under 35 U.S.C. § 101

Claims 20-29, 38, 39, 49-58, and 60-73 stand rejected as allegedly lacking either a well-established or a specific, substantial, and credible utility. The rejection is respectfully traversed.

Alleged Lack of Specific Function

This rejection has been maintained because Applicants allegedly have not provided experimental data demonstrating a specific utility of the claimed polynucleotides or the polypeptides they encode. The Examiner has stated: